

REMARKS:

The outstanding Office Action imposes a restriction requirement on the subject application, because the claims allegedly are directed to more than one invention or groups of inventions that are not linked as to form a single general inventive concept under PCT Rule 13.1. Specifically, the Office Action sets forth the following two groups of inventions:

Group I, claims 1-17, 26, and 27, drawn to a packaging for a premium item; and

Group II, claims 18-25, drawn to a method of forming packaging.

Applicant traverses the restriction requirement.

Applicant notes that the inventions of each group are so closely related that a search of one group will necessarily require a search of all the groups. Specifically in this regard, Applicant notes that independent claims 1 and 18 both generally relate to a packaging having three layers of material and a method of making a packaging having three layers, respectively. The time and cost to Applicant of prosecuting potentially multiple applications and the USPTO's time associated with searching such closely related inventions far outweigh the time required to properly search the claims of the application.

For at least the foregoing reasons, Applicant submits that the restriction requirement grounded in the unity of invention standard of the PCT is improper and should be withdrawn. Such action is hereby requested.

Nevertheless, and in accordance with 37 CFR 1.143, Applicant hereby elects, with traverse, Group I, claims 1-17, 26, and 27, for prosecution.

Applicant's below-signed representative may be reached by telephone at (585) 232-6500 with any questions regarding this application. All written correspondence should continue to be forwarded to the address of record for this application.

Respectfully submitted,

Dated: April 27, 2007

A handwritten signature in dark ink, appearing to read "Michael J. Didas", is written over a horizontal dotted line.

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